Handgun Training Deficiencies: Recommendations for Improvement and Policy Creation

A Seminar Paper

Presented to

The Graduate Faculty

University of Wisconsin Platteville

In partial fulfillment of the degree

Master of Science in Criminal Justice

Nathan Olig, Summer 2015
Acknowledgements

This milestone in life would not have become a reality had it not been for so many people who have inspired and supported me along my journey. First, my faith in God has guided my path in life and I will glorify him in all I do. My wife Rachel has continually pulled more than her share of the load to allow me to accomplish this goal. My daughter Madison has been and will forever be my biggest source of motivation to succeed. Together they have no doubt shaped who I am, and what I have yet to become. I love them both with all my heart. Thanks to my parents who have always believed in me even when I did not believe in myself. Also thanks to the educators who stimulated within me a desire to learn: Kelly, Andrew, Brian, Paul and Ron. You are truly excellent educators and I applaud you. Lastly, to Dr. Fuller and Dr. Hilal and the rest of the faculty at the University of Wisconsin Platteville, it has been my privilege to work with each of you throughout this step in my educational journey. Thanks, for all that you have done to make my dreams a reality.
Abstract

Purpose

The purpose of this study is to perform an analysis of handgun qualification and training of law enforcement officers in the United States. This study addresses the history of police handgun training, various handgun-training methodologies as well as their effectiveness based on previously published data. A glimpse into the current state of handgun training and qualification within law enforcement throughout the United States allows for recommendations for the improvement of handgun qualification, training and policy creation for police.

Methods

The primary source of information used in this study comes through an in-depth literature review of scholarly articles, books and governmental publications dealing with the handgun accuracy and law enforcement. The bulk of the information comes from scholarly sources as well as internet searches using publicly available search engines. Key search topics included; “law enforcement handgun training,” “law enforcement handgun qualification,” “law enforcement shooting accuracy,” and “law enforcement handgun qualification standards.” In addition, raw data sets from the FBI’s Law Enforcement Officers Killed and Assaulted (LEOKA) data provided insight into realistic training parameters. A detailed internet based content analysis of minimum handgun qualifications by state was completed based on publically available POST websites and state statutes to provide a snapshot of the current state of handgun qualification within law enforcement. Lastly, policies from municipal and county agencies from Wisconsin as well as other states and model policies written by organizations
provide a glimpse as to where law enforcement is as an industry and possible room for improvement. The information gathered is used to provide recommendations to increase officer safety by re-conceptualizing handgun training so that its foundation is based on empirical evidence.

**Key Findings**

Evidence shows that force-on-force qualification is the most realistic yet least incorporated method for handgun qualification (Fig 1.2 Content Analysis of Handgun Qualification by State; Thomasson, Gorman, Lirgg, & Adams, 2014). Most law enforcement agencies are devoting the majority of their training budgets to mandatory requalification that firearms instructors largely agree fail to provide any sort of practical training (Morrison, 2003). Although law enforcement officers have been training and qualifying with sidearms for quite some time, training has previously focused on passing a qualification course rather than surviving a violent encounter (Veit, 2009).

To correct these deficiencies, law enforcement needs to undergo a paradigm shift. First, law enforcement should collaborate with academic institutions in order to transition to evidence based training methodologies (Morrison, 2003). Next, additional research is needed as to more clearly articulate the characteristics of violent encounters (Morrison & Villa, 1998; White, 2006). Once law enforcement understands the dynamics of violent encounters, additional research can be conducted on the effectiveness of various training methods to best train officers how to survive. Following the research, laws regarding minimum qualification courses as well as policies should be rewritten to reflect the new body of knowledge.
# Table of Contents

Acknowledgements........................................................................................................i

Abstract ..........................................................................................................................ii

Table of Contents ...........................................................................................................iv

SECTION 1: INTRODUCTION............................................................................................1

Introduction ......................................................................................................................1

Statement of the Problem ..............................................................................................3

Purpose of the Research .................................................................................................3

Method of Research .......................................................................................................4

SECTION 2: LITERATURE REVIEW..................................................................................5

Introduction ......................................................................................................................5

History .............................................................................................................................5

Case Law ........................................................................................................................7

Civil Liability ..................................................................................................................11

Criminal Liability .........................................................................................................14

Prevalence ......................................................................................................................14

Analysis of Training and Qualification Methods ..........................................................21

Static Firearms Training ...............................................................................................23

Simulated Stress Firearms Training ............................................................................24

Force-on-Force Firearms Training ...............................................................................26

SECTION 3: Content Analysis of State Qualification Standards and Policies......................29

Introduction ......................................................................................................................29

Findings of Content Analysis .......................................................................................31

Model Policies ................................................................................................................33

Agency Policies in Wisconsin .........................................................................................36

Agency Policies outside Wisconsin ...............................................................................38

Section 4: Recommendations and Conclusions .............................................................41

Reference List ................................................................................................................47
SECTION 1: INTRODUCTION

Introduction

In the field of law enforcement, there has been a continued drive towards professionalism and standards. Many states develop and maintain state curriculums either through the implementation of training and standards boards, state law or both. The goal of the curricula is to ensure that newly hired officers receive the training necessary to be effective at their jobs while reducing liability for the field as a whole. A small portion of the training that new officers receive is firearms training which was re-conceptualized within the field of law enforcement in the 1990's and has since been referred to as use-of-force training. Morrison and Garner (2011) noted that it was during this transition in law enforcement that such training began incorporating tactics and judgement as a fundamental part of the application of use of force.

In spite of the training that officers receive, studies indicate that when law enforcement personnel are involved in officer involved shootings (OIS), the percentage of rounds that hit their intended targets is low (Morrison, 2003; Thomasson, Gorman, Lirgg & Adams, 2014; White, 2006). According to Thomasson et al. (2014), a study of New York Police Department’s OIS resulted in a hit percentage of 15%. White (2006) looked at department compiled OIS from across the country and reported hit rates varied from mid to upper 20% in some areas, while San Francisco, CA and San Antonio, TX reported 100% hit rates. Morrison’s (2003) study of Washington State’s officer firearms training noted that the ratio of misses to hits in officer-
involved shootings is 4:1. Yet generally, an officer is taught that he or she is accountable for each round he or she fires.

Many states require officers to pass a handgun “qualification” in order to be certified as sworn law enforcement officers and carry a firearm. Traditionally, handgun qualification consists of putting holes through a paper target on a static range. As no surprise under these conditions, officers are able to perform very well. According to Thomasson et al. (2014) these conditions made for a situation in which experienced officers in their study recorded an astounding 97.12% hit rate per bullet. Yet those same officers under the physical and psychological stressors of force-on-force training had hit rates of 15.69%, nearly mirroring the NYPD OIS report rates. In other words, 85% of the bullets fired did not hit their intended target; this is a huge liability for any department. Interestingly, studies have consistently shown low hit rates in OIS as Thomasson et al. (2014) reported that most officers in training are capable of qualifying with an average hit rate of 97.12% per bullet.

There is a significant liability for individual officers and departments when it comes to firearms training. As an industry, law enforcement would be remiss to ignore the vast data on the need for more realistic exercises in terms of firearms training. With budgets always tight, one may argue that a department’s first priority needs to be realistic training rather than traditional marksmanship. Wisconsin Department of Justice (2014, p. 5) in fact mandates that the state standard must be augmented by firearms training that is “recent, relevant and realistic” noting that its standard is limited to the demonstration of basic psychomotor skills in a controlled setting under low stress.
Scholars and critics of law enforcement may argue the vast differences between hit rates during qualification and hit rates during OIS may indicate qualification standards are not representative of real world conditions. Professional trainers may retort those claims, citing the conditions of “real world” OIS cannot be replicated in a safe manner within a training environment. Given the gross differences between officer accuracy during qualification and field accuracy, it is hard to argue with the fact that more needs to be done.

Statement of the Problem

In today’s social and political climate, officers and agencies may be labeled as indifferent or negligent if they do not attempt to be proactive in terms of training. Most would agree that police firearms training should be recent, relevant and realistic as recommended by the State of Wisconsin (Wisconsin Department of Justice, 2014). Yet as an industry, policing has tethered itself to the easily quantifiable data that comes along with traditional marksmanship style qualifications and training. Typically, officer involved shootings occur in dynamic and chaotic environments, while qualification occurs in a highly structured and often static environments. It has been suggested that the lack of realism in police firearms qualification brings into question the validity of firearms qualification all together. In addition, some scholars have made the argument that unrealistic qualifications open departments to liability and decrease both officer and public safety.

Purpose of the Research

The purpose of the research is twofold. First, it is the aim of this paper to determine what is the current status-quo of law enforcement handgun qualification and training across
the country. Second, the paper addresses if those current trends in training and qualification are representative of evidence-based practices. By utilizing information garnered from Law Enforcement Officers Killed or Assaulted data and current studies to establish a baseline as to where law enforcement is as an industry. Based on results of the research, recommendations can be made to achieve a more realistic level of firearms qualification and training as well as make changes to policies. It is believed that these changes will increase officer and public safety, improve public image while reducing departmental liability.

**Method of Research**

The primary source of information used in this study comes through an in-depth literature review of scholarly articles, books and governmental publications dealing with the handgun accuracy and law enforcement. The bulk of research comes from scholarly sources as well as internet searches using publicly available search engines. Key search topics included; “law enforcement handgun training,” “law enforcement handgun qualification,” “law enforcement shooting accuracy,” and “law enforcement handgun qualification standards.” In addition, raw data sets from the FBI’s Law Enforcement Officers Killed and Assaulted (LEOKA) data provided insight into realistic training parameters. Lastly, policies from municipal and county agencies from Wisconsin as well as other states and model policies written by organizations provide a glimpse as to where law enforcement is as an industry and possible room for improvement. The information gathered will be used to increase officer safety by re-conceptualize handgun training so that its foundation is based on empirical evidence.
SECTION 2: LITERATURE REVIEW

Introduction

The literature review of handgun training and qualification in this study is multi-faceted. First, the study reviews the history of the handgun training within the field of law enforcement. In addition, it looks to case decisions, which have had a profound impact on the content and manner in which training occurs. The study visits the topic of liability and discusses how it has been an agent of change within the training community.

History

Policing underwent several changes in this country since being established. Early history mirrored that of Europe’s night watchmen. Initially, police officers in this country carried neither handcuffs nor guns and only had small clubs with which to defend themselves (Palmer, 1978). In fact, the earliest clashes of violence between police and the civilian populace forced the unarmed police to use sabers that they loaned from the U.S. Army (Palmer, 1978). As populations shifted from rural America to large cities with the industrial revolution, the changes affected the way in which the cities were forced to police. Civil unrest during the mid to late 1800’s along with population shifts led to concerns over police being unable to be effective. Officers initially had taken it upon themselves to arm themselves, mainly with revolvers, over concerns for their own safety (Morrison & Villa, 1998; Palmer, 1978). By the end of the 19 century, all the major population centers had formally armed their police. The most common weapon of choice to arm the police with was the .32 caliber revolver however some agencies also had armories, which contained Springfield rifles and even cannons (Palmer, 1978).
Although population centers across the United States had armed their police, they received very little training initially. Police were given the means of protecting themselves and upholding the law but had nearly limitless discretion in terms of use of force. Courts largely took a hands off approach even in cases of obvious police misconduct. In Palmer’s (1978) study, he spoke of the often-severe violence directed at those in uniform as well as the violence perpetrated by the police towards the civilian populace. Palmer (1978, p. 388) identified three factors most responsible for the arming of American police, which he concluded were “occasionally severe rioting, the frequency and nature of crime and deep-lying social and economic trends of urban American society.”

In spite of the rocky start firearms had in policing in America, firearms’ training has evolved a great deal over the past 50 years. The push towards professionalism and training standards began in 1959 with the very first law enforcement regulatory board and the movement expanded to include most law enforcement agencies nationwide by the 1970s (Morrison, 2003). The boards began setting standards for law enforcement such as requiring an officer to qualify annually with his or her firearm to demonstrate proficiency and marksmanship among other things. This step towards uniform standards and regulation forced departments to implement training plans to ensure compliance. The goal was simple, by initiating standards for training citizens would receive better-trained and better-educated officers who could provide a higher level of professional service.

Early firearms training in policing often solely emphasized marksmanship. The training would consist of officers standing on static lines and shooting at bullseye targets, thereby meeting the minimal training requirements established by the standards boards (Morrison,
The civil unrest of the 60’s and 70’s brought with it an increase in killings and felonious assaults on law enforcement officers (Morrison, 2003). The change in social climate of the United States began making it readily clear that the training provided to law enforcement was not sufficient.

Gradually, training became more content focused. Police agencies from across the country began taking steps to enhance the training they were providing to their officers. For instance, one of the first changes that took place was the transition in firearms training from bullseye targets to human silhouette targets. It was believed that the anatomically correct targets would teach officers not only how to shoot accurately but also where to aim to stop the threat. Agencies began providing use-of-force training in addition to basic firearms training. The use-of-force training emphasized decision making in addition to basic motor skills and marksmanship.

In addition to the handgun that was reserved as primarily a defensive weapon, many police departments issued and used shotguns. Shotguns provided officers with the ability to bring a greater amount of firepower to bear against criminals. The shotgun also had a greater increased range than handguns, which increased officer survival. Although many agencies still have shotguns in their arsenals, the largely publicized and televised North Hollywood Shootout lead police agencies from across the country to trade in their outdated and arguably ineffective shotguns for a more accurate and effective military style rifle.

**Case Law**

Social pressures and Federal Court decisions worked together to frame firearms training and qualification during that same period of unrest. There were a few court cases that had a
profound and direct effect over the manner in which the application of force was judged. In addition to use-of-force court cases there were also several other cases that spoke to law enforcement policies and training. The court cases specifically dealing with training can generally be classified into one of three groups: failure to train, failure to provide adequate training or failure to document the training. Many of these cases led to civil liability or in some cases criminal liability on behalf of officers or agencies. In any event, many of the court cases were the product of tragedy as well as the catalyst to change within the field of policing.

In the case of *Tennessee v Garner* (1985), the Supreme Court effectively placed some key limits on the use-of-force by law enforcement. To set the stage, *Tennessee v Garner* involved a situation in which police were called to a burglary in progress. Once at the location, one of the officers saw the alleged suspect flee through the backyard of the residence. Using a flashlight, the officer was able to see that the suspect did not have a weapon. The officer ordered the suspect to stop, and when the suspect attempted to flee, the officer shot the suspect in the head resulting in the suspect’s death. Following the suspect’s death, his father brought a civil suit against the state, which made it all the way to the Supreme Court. The court ruled that the use of deadly force by an officer constitutes a seizure under the Fourth Amendment of the United States Constitution and as a result is subject to the standard of reasonableness. Based on the facts of the cases the court ruled that the use of deadly force to stop a fleeing felon who posed no imminent threat was an unreasonable seizure, and therefore, unconstitutional.

A second major Supreme Court decision governing use-of-force came out of *Graham v Connor* (1989). In this case a police officer had observed Graham enter and leave a convenience
store, quickly which the officer believed was suspicious. The officer conducted an investigatory stop on the vehicle, which Graham had been in and held him while he investigated what had happened inside the store. At the time Graham, who was a diabetic, was attempting to get something to counter the effects of the insulin he had taken and after seeing a long line at the store had left the store to go a friend’s house. During the course of the stop the officer failed to provide care to Graham. In fact, Graham ended up sustaining injuries from the police officer’s actions during the police contact. The case highlighted the fact that each use-of-force must be judged in light of the facts surrounding it, and therefore must be “objective reasonableness”. The courts defined reasonableness as the use-of-force that a reasonable officer with similar training and experience would use in the same circumstances. Furthermore, the courts provided criteria to consider should include, the severity of the alleged offense, whether the suspect posed an imminent threat to the safety of others, and if the alleged suspect is actively resisting arrest or attempting to flee by flight.

Two major cases from 1979 included McClelland v Facteau and Popow v City of Margate, which established that in order for police training to be sufficient, it must also be realistic. Specifically the case of Popow v City of Margate (1979) spoke to firearms training and how it should be relevant. In this case, the city failed to provide the police officers with instruction as to the engagement of moving targets, the engagement of targets in low-light environments and considerations for residential areas. In addition, the court’s findings also specifically spoke to the importance of scenario based training in order to provide officers with an understanding of the application of law, regulations and policies. The city of Margate, by failing to properly train their officers was found to be grossly negligent and civilly liable.
Another important court case affecting police training was *Tuttle v City of Oklahoma City* (1984), which inferred the importance of training under stress and incorporating shoot/don’t shoot decision-making style training into a department’s curriculum. As part of the Tuttle case, there were questions raised about a municipality’s liability, which were left unanswered. These questions were later answered in *City of Canton v Harris*, (1989) when the courts ruled that if a municipality’s policy or custom showed deliberate indifference and that indifference led the violation of someone’s civil liberties that the municipality was civilly responsible. Furthermore, the case established that a failure to train or inadequate training could constitute an official “policy” even where one did not exist. The case found that the municipality was liable for damages that had directly resulted from the said policy.

Later in *Zuchel v City and County of Denver*, (1993) the courts inferred that regular live fire ranges and decision making (i.e. shoot/don’t shoot) were or should be a necessary part of a curriculum to train firearms. The facts of this case indicated an expert in police training documented the deficiencies of Denver’s firearms training program and that the department had chosen to ignore the recommendations made by the expert to rectify its deficiencies. Because the Denver Law Enforcement knew about their own training deficiencies and chose not to act, the courts held that the department was deliberately indifferent to protecting the rights of the citizens. As a result, the department was held liable for failure to train. The state of Colorado set the scene for a second piece of case law in the case of *Brown v Gray* (2000). In this case, Denver had a policy for their officers that they were “always armed and always on duty”, however the department failed to train officers on how to handle off-shift situations.
Again, because it was reasonably perceivable that the officer could have run into such a situation, and was not trained for it, the department and officer were held liable.

Besides training the material, it is also important for agencies to document specifically what is trained and to whom it is trained. *Paul v City of Altus* (1998) highlights the importance of such documentation. In the case, a plaintiff sued the city for excessive force after two officers arrested him using a technique that was specifically forbidden according to the training manual, but was a trained technique according to the arresting officers. The basic premise of *Paul v City of Altus* (1998) is that if it is not documented, then it did not happen.

Departments began taking steps to improve training after a social shift led to numerous court decisions in favor of the citizens. Early on, these steps were basic such as transitioning from bullseye targets to human silhouette targets. As time went on, departments augmented firearms training with scenarios. Advancements in training technologies such as training simulators, Airsoft and Simunition marking rounds made it possible for officers to experience training that was more realistic to the real-world situations that he or she may encounter.

**Civil Liability**

In terms of importance, one could simply make the case that use of force and specifically firearms training and qualification is the single most important area of training an officer can receive. As White (2006) noted the application of deadly force or use of a firearm by law enforcement is the extreme example of police authority. When applied judiciously the use of firearms by law enforcement may result in lethal consequences. The decision to utilize such force has far-reaching effects that go beyond the officer and suspect to include community
police relations and even the community itself. Recently the effects of OIS have rippled across the entire United States and affected every facet of social dynamics. Along with the social implications the decision to use force can carry, there is also the very real issue of police and department liability. Liability literally drives decision making in the field of law enforcement. Some may argue that civil litigation is the single greatest driving force behind policing reform in the United States (Amadi, 2010; Rushin, 2015).

Following the Civil War in the United States, there was a general unwillingness on the part of those in power to take appropriate and necessary law enforcement action to protect the civil rights of certain classes of people. Because of the apparent abuses, which were going on, congress passed the Civil Rights Act of 1871. Codified as Title 42 Section 1983, the act became commonly referred to as §1983. The law allowed for citizens whose rights had been violated to have a legal recourse to seek monetary awards for damages because of civil rights violations. Amadi (2010) noted that though this section was codified in 1871 the first 50 years of its existence only included 21 cases nationwide was rare all the way up to the 1960’s. Critics of §1983 cited that the process to seek redress is too expensive and burdensome for most citizens to pursue.

The famous Rodney King incident brought with it a national call to action by the citizens of this country to do something to curtail apparent indoctrinated and systematic abuses that citizens were suffering at the hands of police. To answer this call Title 42 Section 14141 was created. Under the newly codified law, the U.S. Department of Justice and specifically the Office of the Attorney General was granted the ability and authority to investigate any pattern or practice of conduct by law enforcement, which deprives a person of their civil rights.
unconstitutionally. Following the creation of the law, many agencies from across the country have come under various forms of consent decrees.

Rushin (2015) completed a study of structural reform litigation (SRL) also known as §14141 and found that the mechanism itself is effective at accelerating organizational changes within policing, however it could never be a primary mechanism of reform due to its costliness. Rushin (2015) noted that the actual mechanism has not been tested in its entirety and currently the §14141 is largely dependent on voluntary compliance and compromise by agencies subject to Department of Justice consent decrees.

Even cases that are not making the national headlines are costing departments across the county millions in civil settlements. Balko (2014) was able to obtain some rough figures as to the cost of civil litigation against some of the largest police agencies in the country. According to that information, the city of Chicago has paid out over half a billion dollars in the past decade as a result of the civil litigation stemming from police action. In a study of the 26 law enforcement agencies in the United States which included the 4 largest agencies Schwartz, (2010) found that the New York Police Department and Philadelphia Police Department, pay out millions annually in monetary settlements for civil litigation. Perhaps more interesting than the actual monetary amounts paid out, was that Schwartz (2010) also discovered while researching that several of the agencies had no system in place to track and or investigate such civil cases against the departments. As a result, agencies would not receive any type of feedback on how to change their policies or practices to avoid future litigation. Balko (2014) and Schwartz (2010) both noted that their reports were not limited to just use-of-force incidents but would include all civil cases against particular agencies. Furthermore, Balko
(2014) noted that often it is cheaper for agencies to payout damages rather than defend against civil litigation.

**Criminal Liability**

Police officers in the United States usually have qualified immunity, meaning they are exempt from criminal liability when acting within the scope of their employment. In the state of Wisconsin that immunity is referred to as privilege. According to §939.45 of Wisconsin statutes, if an officer uses force to reasonably accomplish a lawful arrest, then that officer would be acting with privilege and be exempt from criminal prosecution. In most instances, officers are acting in good faith and reasonably per se in a legal sense, as a result it is rare that an officer would be considered criminal liable. Although criminal liability for conduct is rare, occasionally an officer may act in a manner that would be deemed unreasonable meaning an officer with similar training and experience would not act in that manner. In those cases, the officers are no longer exempt from prosecution under the privilege defense and the officers would be subject to the law just the same as any other person would be. Criminal liability could include any criminal conduct from reckless driving to intentional homicide so long as it is shown that the officers’ actions were not objectively reasonable.

**Prevalence**

Currently deadly force is being taught as the last step in a much larger progression of force, which is commonly referred to as the Use of Force Continuum. According to the National Institute of Justice (2009), the use of force continuum consists of five steps, which in order are: presence, verbalization, empty hand controls, less-lethal force and deadly force. State of
Wisconsin Department of Justice also teaches using a version of the use of force continuum however, the Department of Justice utilizes slightly different verbiage (Wisconsin Department of Justice, 2007). In Wisconsin Department of Justice’s (2007) model, the continuum is referred to as *intervention options*, which still consists of five steps; however, the steps are presence, dialog, control alternatives, protective alternatives and deadly force.

The use of force by law enforcement has become restricted through a variety sources which work together to define the narrow scope in which it could be used. Those sources include the U.S. Constitution, State Laws, agency policies and an officer’s training and experience. According to Wisconsin’s Department of Justice (2007), force must only be used in order to gain control in pursuit of a legitimate law enforcement objective, and must always be objectively reasonable. When it comes to the justification for the use of deadly force, Wisconsin has a narrowly defined verbatim definition in which the use of deadly force is justified. That definition of subject behavior that justifies an officer’s use of deadly force is any “behavior which has caused or imminently threatens to cause death or great bodily harm to you or another person or persons” (Wisconsin Department of Justice, 2007).

In the United States, police use of force is rare and the use of deadly force is even rarer yet. White (2006) noted that statistically speaking an officer would have to work 594 years in Chicago, IL or 1299 years in Milwaukee, WI in order to shoot and kill a suspect in the course of his or her duties. White (2006) did not break down the statistical probability in terms of years worked to each use-of-force option, but utilizing available data on prevalence of the use-of-force, one could argue that officers would be far more likely to use lesser means of force. Also with the officer involved shooting accuracy rates, it is also more likely that officers would be
involved in deadly force incidents that did not actually result in the suspect’s death. The
International Association of Chiefs of Police (2001) found that police use force in .0361% of all
calls for service. Of those incidents where force was used, the use of firearms was reported in
1.78% of them. In other words, statistically .00064258% of overall calls for service within this
study included the use of firearms by law enforcement (IACP, 2001). A later report from the
International Association of Chiefs of Police (2012) indicated that out of 40 million people that
police had contact with, force or its threat, was reported to be used or threatened in 1.9% of all
contacts. Preliminary data from the 2012 report also suggests that use or threatened use of
lethal force and firearms actually decreased while the use or threatened use of less-lethal
alternatives such as OC spray increased (IACP, 2012). During that same time, it was reported
that injuries to both officers and suspect declined (IACP, 2012; Smith et al, 2010). The report
went on to add that it is believed that the addition of electronic control weapons (ECW’s) will
play a significant role in future statistics, however their current studies did not include data on
ECW’s. These numbers reiterate that the importance of the study of police use-of-force is not
born out of prevalence at all, rather its grave implications.

Officer involved shootings may happen anywhere at any time, however there are
certain conditions in which statistically officers are more likely to be killed or assaulted based
on Law Enforcement Officers Killed or Assaulted data compiled by the Federal Bureau of
Investigation. In order to provide the best evidence based training to officers, agencies should
be familiar with the data and utilize it in the formulation of training plan.
For instance, Officers are more likely to be killed between noon and midnight (55%) and even
more likely yet to be killed during the hours typically associated with darkness between 6:00pm
and 6:00am (58%) (FBI, 2013). Figure 1.1 depicts a graph based on LEOKA data between 2004 and 2013. Understanding this fact, qualification courses and training curriculums would do officers a great disservice to not include low light/no-light training into their curriculums. Reduced light is a unique environment, which requires a unique set of skills such as shooting with the aid of a flash light and low light threat assessment.

**Fig 1.1 Law Enforcement Officers Killed by Time of Incident 2004-2013**

![Graph showing the number of law enforcement officers killed by time of incident between 2004 and 2013.](image)

(FBI, 2013, Table 3)

When one evaluates the data on officers assaulted, the majority of assaults on officers take place between noon and midnight (59.5%) (FBI, 2013). If one were to look strictly at the hours most often associated with darkness, 6pm – 6am those statistics climbs significantly (65.4%), (FBI, 2013).

Statistics indicate that the three deadliest situations for police would be arrest situations (23%), ambush situations (22%) and traffic stops (16%) (FBI, 2013 Table 19). The Law Enforcement Officers Killed or Assaulted data documented by the FBI (2013) further breaks
down arrest situations to include four sub-categories “burglary in progress/ pursuing,” “robbery in progress/ pursuing,” “drug related matter” and “attempting other arrest.” According to the data, attempting to arrest or pursuing a robbery suspect is the single most deadly event statistically speaking that an officer can participate in. The category of “ambush situations” is broken down into sub-categories as well. According to the data, ambush situations are twice more likely to be unprovoked sudden assaults than premeditated ambushes. Rounding out the top three deadliest situations for police is possibly one of the most routine things law enforcement officers do, which is traffic stops. By contrast, if one were to expand the data to include officers assaulted, that data indicates that the most likely call for an officer to be assaulted on would be a disturbance. If agencies were interested in providing realistic training, data provided by LEKOA could be crucial in building a legally defendable scenario base to a training curriculum to augment current qualification requirements.

Distance is an important factor in the lethality of violent encounters between officers and suspects. Distance also happens to be one factor, which often times officers have at least some ability to control. The basic rule involving distance is that lethality of violent encounters increases as the distance between officers and subjects decrease. According to the FBI (2013), the majority of officers who were killed by firearms were killed within 20 feet of the defendant and account for 77% of all reported officers deaths. Nearly half of all reported officer deaths (46%) occurred when the officer and the defendant were within 5 feet of one another (FBI, 2013, Table 36). This information combined with the previously mentioned data provides insight into the characteristics of violent encounters within the field of law enforcement.
The most concerning of the data reported from the FBI comes via the IACP (2010). According to the data, of officers killed in the line of duty over the past 10 years 187 of the officers had five years or less policing experience while 339 officers had 6 years or more. When grouped by experience 63.1% of the less-experienced officers fired their weapons while another 33.2% attempted to, but of the officers with 6 or more years of experience not a single officer fired their weapon and only 8.6% are documented as having attempted to. (IACP, 2010)

Many agencies from across the country use an eclectic training philosophy when it comes to in-service firearms training. Agencies are afforded great latitude in creating firearms training programs. Ideally, the in-service training fills the void left by qualification and teaches officers how to survive deadly force encounters. As discussed previously, most states qualification standards are low and arguably unrealistic. The industry favors static line shooting as the preferred method for qualification due to its objective and quantifiable nature. Morrison and Garner (2011) warn that as agencies from across the country make it their goal to qualify their officers verses train them to survive and that the low qualification standards may actually encourage less training rather than more. Morrison (2003) conducted a survey of correctional and police departments as well as firearms instructors from across the state of Washington. The survey consisted of two parts, one which surveyed firearms instructors while the other surveyed agencies about their firearms qualification and training programs. According to Morrison (2003), the survey contained responses from a variety of agency types and sizes, however the majority were from municipalities (72%) and most (62%) were from agencies that employed 25 or fewer officers. The survey provided a glimpse into an “average” firearms training curriculum in the state of
Washington and provided insight into the vast degree of variance in qualification and training programs from agency to agency.

Morrison (2003) found that 9 in 10 departments dedicated 70% of their total firearms training resources on handgun qualification and training, affirming the importance of the handgun training. Surprisingly, 64.2% of responding departments indicated that they committed half or more of their total firearms training resources to requalification while 21% indicated that they used 75% or more of their total training resources on requalification (Morrison, 2003). Interestingly, the instructor survey portion of the study reported that 61% of the instructors surveyed characterized requalification as an administrative task and only 3.1% viewed requalification as providing any practical training (Morrison, 2003).

Morrison and Garner (2011) continued with the discussion of the average training or qualification course. In looking to training quantity in terms of hours afforded, Morrison and Garner (2011), reported that most common allotment of training hours by departments regardless of size was 8 hours however hours ranged from as few as 1 hour annually in a large department to as many as 64 hours in a small department. The majority of respondents (61%) indicated however that they trained between 8-16 hours annually (Morrison, 2003). While looking at the actual training content, Morrison and Garner (2011) reported that 49% of large agencies participated in 4-6 training scenarios while approximately 60% of smaller agencies completed between 1-9 scenarios with 20% of small agencies doing no scenario based training at all.

Throughout Morrison and Garner’s (2011) evaluation of the latitude provided to law enforcement on the training of deadly force, they continually noted vast differences from
agency to agency. One thing agencies differed on was their approach to selection and training of their firearms instructors. According to Morrison and Garner (2011), most municipalities and counties sent their instructors to state commissions or academies to become certified, whereas state agencies more frequently self-certified. Of the reporting agencies, 73% of large agencies and 29% of small agencies sent their firearms instructors to instructor updates.

**Analysis of Training and Qualification Methods**

Although there are countless variations to firearms training they can generally be broken down into three categories; static, simulated stress and force-on-force firearms training. Each of these types of training has its place within an agency’s curriculum. For clarity, it is important to define what each training method is and is not. First, static training is firearms training which takes place on a stationary firing line at stationary fixed targets. Static training does little to introduce any additional stress to perform at a certain level outside of one’s own internal stress to meet a standard. By contrast, simulated stress firearm training refers to training which includes a component of physical activity and/or decision making to accompany the demonstration of firearms proficiency. In simulated stress training or qualification, the participant is subject to additional stress using exercises and decision making to create a slightly more realistic environment. Lastly, force-on-force training refers to the use of opposing role players to incorporate a lifelike training environment. Force-on-force training adds both a physiological and psychological component to the stress of the training environment.

Agency training programs are often eclectic in their approach to preparing officers for use-of-force including the use of firearms. Admittedly, different types of training lend themselves better to different training enabling objectives. In spite of training curriculums
being diverse in their approach, firearms qualification within the field of law enforcement has continued to remain rather rigidly one-dimensional. Qualification largely focuses on static courses of fire from fixed ranges, targets and firing positions.

There has been debate over the purpose of firearms qualification and the usage of the word itself in terms of demonstrated firearms proficiency for police (Aveni, 2008). In general, there is a public assumption that qualified would correlate with competent concerning police firearms qualification (Charles & Copay, 2003). The perception is that qualification would mean an officer is qualified as well as competent to utilize his or her firearm in the performance of his or her duties (Morrison & Vila, 1998). The public further assumes that the testing of qualification would be the demonstration of proficiency under circumstances similar to what that officers may encounter during his or her course of employment. Qualification is defined as both a “necessary precondition” and an “accomplishment that qualifies someone to do something” according to dictionary.com. The question remains... What does qualification qualify the officer for?

Perhaps the idea of a defining the purpose of qualification could be made easier by looking to the purpose of the firearm itself. According to the Wisconsin Department of Justice (2007), the use of a firearm by a law enforcement officer constitutes deadly force. Wisconsin further defines the justification for deadly force by law enforcement as “behavior which has caused or imminently threatens to cause death or great bodily harm to you or another person or persons” (Wisconsin Department of Justice, 2014). Utilizing that concept as the reasoning for law enforcement to carry firearms one could draw the conclusion that if an officer has qualified, he or she has shown themselves capable of exercising the use of his or her firearm under
circumstance where such use would be “justified”. In other words, the purpose of qualification should arguably be to demonstrate the ability to use a firearm in accordance with its stated purpose.

**Static Firearms Training**

Static firearms training is at the core of most firearms training that is conducted by law enforcement. In fact, static firearm training is a preferred method of training for evaluation of competencies. Many studies on firearms proficiency use the core competency of static or line shooting to provide a baseline by which researchers are able to compare alternative methods (Nieuwenhuys & Oudejans, 2010; Thomasson et al. 2014). In a study by Thomasson et al. (2014) of 8 law enforcement officers, researchers utilized static firearms training from distances of 1, 3, 7, 15, and 25 yards to determine a baseline for the officer’s accuracy. They specifically focused on heart rate and accuracy and noted that in static line shooting the mean heart rate of participants was 118 beats per minute (bpm) indicating the shooters were relatively calm. The shooters recorded average hit rates of 97.12% (Thomasson et al., 2014). In another study, Charles and Copay (2003) found that recruits from the Police Training Institute at the University of Illinois, were able to qualify with a hit rate of 94.79%. These recruits had little to no previous experience with handguns outside basic firearms instruction at the academy.

Experts agree that it is during the static firearms training that one must learn marksmanship fundamentals such as breathing, grip, sight alignment, trigger control and follow-through (Grassi 2009; Johnson, 2011). Charles and Copay (2003) noted that it is imperative that police recruits learn the basic skills of marksmanship and gun handling in a familiar and predictable environment prior to participating in any more advanced training.
Establishing that static firearms qualification is the rule rather than the norm, many researchers have criticized the field of law enforcement for even using the word “qualification.” Morrison and Vila (1998) argued the public has a perception that qualification should denote competency therefore, policing as an industry should depart from its administrative mindset towards qualification and focus on training officers to levels that denote both qualification and competence. Rostker et al. (2008 p. 65) noted in an evaluation of New York Police Department’s training curriculum that “While the requalification course meets the standards required by the state of New York and is consistent with national norms, shooting at paper targets on a known-distance range is basically target practice.” Rostker et al. (2008) went on to recommend that qualification courses included things such as shooting from cover, shooting from various positions and shooting at moving targets. Veit (2009) commented on the RAND study of the New York Police Department saying that officers were trained on how to shoot rather than how to shoot effectively in life threatening situations. Veit (2009 p. 46 ) also criticized law enforcement’s reluctance as an industry to deviate from tradition, citing “the powers that be do things in traditional ways and they defend them with the zeal of true believer or religious zealot.”

**Simulated Stress Firearms Training**

Some experts noted that the static firearms’ qualification was notably insufficient to constitute as an adequate representation of the real world environment in which law enforcement officers are required to operate. As a result, agencies have explored the idea of adding a component of realism to firearms training with simulated stress. Agencies began instituting physical stress coupled with decision making into firearms training as a means of
providing better training to officers. Thomasson et al. (2014) noted in their study of firearms training that officers who were subjected to stress only through physical activity showed very little difference in their firearms accuracy scores verses those same officers when they combined physical stress with the stress of decision making when going through shoot-houses. Thomasson et al. (2014) specifically found that physical stress alone only dropped reported accuracy score to 93.37% whereas shoot-house exercises, which combined physical exercise with added stress of decision-making had accuracy scores of 53.67%. Even at 53.67%, the accuracy suggests that the training doesn’t come close to replicating real life or street conditions which officers are experiencing where they are having hit rates of between 15-20% on average (Morrison, 2003; White, 2006).

Thomasson et al. (2014) noted that as part of the limitations of their study, participants were only exercising at a moderate level. One could posit that greater levels of physical stress may correlate with hit percentages more closely representative of real life officer involved shooting incidents and the authors recommended that as an area of further study. Thomasson et al. (2014) mentioned that the physical stress did not appear to come close to the same effects of the psychological stress of decision making which participants endured during the shoot-house portion of the study. Although both types of training are notably beneficial, they note that the methods weakness lies in the fact that neither can replicate the stress of being fired upon, as one may experience in a real life situation, based on participants reported accuracy.

Specifically in the Thomasson et al. (2014) study, the researchers looked to the heart rate as the a measure of anxiety or stress to determine to what degree participants were placed
under stress. They found that there was only a slight elevation in heart rates from a normal static range to shooting while incorporating physical activity, however the addition of the psychological component of decision making appeared to have a far greater impact on the increasing anxiety. Although this type of added stress appeared to more closely resemble that of officer-involved shootings it still fell notably short of the mark. As Morrison and Villa (2003) would note, this is the difference between range training and training for a gun battle.

Advancements in technology have brought with them various training opportunities previously unavailable to law enforcement. One such advancement is the incorporation of use-of-force simulators, which are spreading in popularity across the country. In a study of use-of-force simulator effectiveness on Canadian police officers, Bennell, Jones and Corey (2007) noted many benefits including increased repetitions afforded to each officers as well as the increased safety of this type of training environment verses a live fire range. The simulated training also had a secondary benefit-reducing department and officer liability. The ability to play back scenarios also reportedly assisted officers with memory recall following stressful events. Bennell et al. (2007) went on to note that the true potential of electronic use-of-force simulators had yet to be realized as even many instructors are not aware of all of the technologies capabilities.

**Force-on-Force Firearms Training**

Another means to police firearms training that has shown promise is force-on-force training. Force-on-force training has been able to fill the voids left by other trainings by allowing officers to go through scenarios, which reflect realistic conditions under which an officer may have to use deadly force (Murray, 2006; Suarez, 2005; Thomasson et al., 2014). In some cases,
force-on-force scenarios are even written based on after-action reports and officer involved shooting debriefs. Experts in firearms training have been touting the benefits of force-on-force scenario based training for some time (Murray, 2006; Suarez, 2005). To date, the two primary means of force-on-force training involves the use of either simulation marking cartridges or airsoft systems (Suarez, 2005). Both methods have shown promise in terms of additions to any training curriculum.

Thomasson et al. (2014) was able to preliminary establish the validity of force-on-force training through their study of training methods. During the study, participants in force-on-force training reported an average hit rate of 15.7% which as previously discussed, nearly mirrors the hit rates reported in officer-involved shootings (15%-20%) across the country (Thomasson et al., 2014; White, 2006). According to White (2006) while examining factors which influence accuracy, he concluded that the distance between the officers and the subject and whether the subject was attacking the officer both positively correlated with increased accuracy. One caveat to that finding was that if officers were actually in a physical struggle with the subject at the time of the shooting the accuracy notably decreased in spite of the close proximity (White, 2006). It has been hypothesized that the accuracy closely mirrors the accuracy reported in officer-involved shootings because in force-on-force training, officers experience the physical, psychological and physiological stresses in a manner similar to what officers in officer involved shootings report. Thomasson et al. (2014, p. 226) attributes the similar results between real world shootings and force-on-force training to the specificity of practice hypothesis, which posits; “...practice conditions should resemble expected performance characteristics in areas such as perception, performance context and cognitive
process.” Nieuwenhuys and Oudejans (2011) noted that such concepts have been used in the training of professional athletes and have real world implications in the training of law enforcement officers as well. Wang, Callahan and Goldfine (2003) acknowledged the significance stress can play in performance and noted that in competition, athletes do not lose their ability, skills or knowledge rather their control of cognition.

Nieuwenhuys and Oudejans (2011) confirmed their findings of an earlier pilot study affirming that anxiety diminishes performance (Nieuwenhuys & Oudejans, 2010). In spite of that fact, Nieuwenhuys and Oudejans (2011) offer the knowledge that training under stress will create resilience and increase performance under stress. Lyons, Parker, Katz and Schatzberg (2009) recognizes that controlled exposure to stress can serve as a means of inoculation much like an immunization or vaccination would.

It is posited that done properly, force-on-force scenario based training may provide participants with the most realistic and relevant training available to date. Experts believe that training utilizing such techniques provides the blueprint for officer survival, which is arguably the ultimate goal of any firearms or use-of-force training (Aveni, 2008). However, to date there has been very little research conducted on the characteristics of officer-involved shootings. As a result, it is premature to say that force-on-force training will increase officer safety and survivability in the event of an officer involved shooting, however preliminary information appears promising.
SECTION 3: Content Analysis of State Qualification Standards and Policies

Introduction

In order to get a better understanding as to the current state of handgun qualification and training within law enforcement in the United States, one may choose to look at minimum state requirements as defined by state training and standards boards as well as state statutes. In addition, sample policies from various agencies may also contribute that understanding.

To gain such an understanding, a content analysis was conducted on the available minimum handgun qualification standards by state throughout the United States. This was facilitated through an exhaustive internet search of law enforcement officer firearms qualification standards based on publically available information from published on state training and standards board’s websites, legislative statutes or published handgun qualification courses of fire. The search was conducted over the period of several weeks between July 1, 2015 and July 31, 2015.

Through the evaluation of published minimum standards as well as input from various published subject matter experts, a list of ten different criteria was made which had a high likelihood of being included within the qualification courses (Aveni, 2008; Rossi, 2009). Those criteria included: utilization of cover, low/no light shooting, clearing malfunctions, engaging multiple threats, off-hand shooting, scenario based evaluations, shoot/don’t shoot decision making, shooting while moving, shooting at moving targets and off-hand draw from the holster. Of the ten initial criteria, there were no qualification courses that incorporated the use of moving targets or off-hand drawing of the weapon from the holster and as a result those two criteria were included only anecdotally.
**Fig 1.2 Content Analysis of Minimum Handgun Qualification Requirements by State**

<table>
<thead>
<tr>
<th>State</th>
<th>Freq. of Qual</th>
<th>Range</th>
<th># of Rounds</th>
<th>% to Pass</th>
<th>Cover</th>
<th>Low/No-Light</th>
<th>Malfunctions</th>
<th>Multi-Threat</th>
<th>Off-Hand Shoot</th>
<th>Shoot/No-Shoot</th>
<th>Moving</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>X</td>
<td>5</td>
<td>25</td>
<td>50</td>
<td>70</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>50</td>
<td>84</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arkansas</td>
<td>X</td>
<td>3</td>
<td>15</td>
<td>50</td>
<td>80</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>California</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colorado</td>
<td>X</td>
<td>1</td>
<td>25</td>
<td>25</td>
<td>100</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Connecticut</td>
<td>X</td>
<td>7</td>
<td>15</td>
<td>60</td>
<td>80</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delaware</td>
<td>X</td>
<td>5</td>
<td>25</td>
<td>50</td>
<td>80</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>X</td>
<td>1</td>
<td>15</td>
<td>40</td>
<td>80</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Georgia</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>30</td>
<td>80</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Idaho</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>60</td>
<td>85</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>X</td>
<td>5</td>
<td>15</td>
<td>30</td>
<td>70</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indiana</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>60</td>
<td>80</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iowa</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kansas</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>50</td>
<td>70</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kentucky</td>
<td>X</td>
<td>2</td>
<td>25</td>
<td>50</td>
<td>55</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Louisiana</td>
<td>X</td>
<td>2</td>
<td>25</td>
<td>60</td>
<td>80</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maine</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>50</td>
<td>80</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maryland</td>
<td>X</td>
<td>5</td>
<td>25</td>
<td>30</td>
<td>70</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Massachusetts</td>
<td>X</td>
<td>3</td>
<td>15</td>
<td>50</td>
<td>80</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michigan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minnesota</td>
<td>X</td>
<td>3</td>
<td>15</td>
<td>50</td>
<td>70</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mississippi</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Missouri</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Montana</td>
<td>X</td>
<td>0</td>
<td>15</td>
<td>30</td>
<td>80</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nebraska</td>
<td>X</td>
<td>3</td>
<td>15</td>
<td>50</td>
<td>70</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nevada</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Hampshire</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>72</td>
<td>75</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Jersey</td>
<td>X</td>
<td>1</td>
<td>25</td>
<td>60</td>
<td>80</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Mexico</td>
<td>X</td>
<td>3</td>
<td>15</td>
<td>50</td>
<td>80</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>X</td>
<td>1</td>
<td>25</td>
<td>100</td>
<td>75</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Carolina</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>50</td>
<td>70</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>X</td>
<td>1</td>
<td>25</td>
<td>18</td>
<td>70</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>X</td>
<td>1</td>
<td>16</td>
<td>25</td>
<td>80</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oklahoma</td>
<td>X</td>
<td>1</td>
<td>25</td>
<td>25</td>
<td>72</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oregon</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>X</td>
<td>1</td>
<td>25</td>
<td>50</td>
<td>75</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rhode Island</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Carolina</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>50</td>
<td>80</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Dakota</td>
<td>X</td>
<td>3</td>
<td>15</td>
<td>UN</td>
<td>75</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tennessee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Texas</td>
<td>X</td>
<td>5</td>
<td>50</td>
<td>70</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utah</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vermont</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>36</td>
<td>75</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>X</td>
<td>3</td>
<td>15</td>
<td>60</td>
<td>70</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West Virginia</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>44</td>
<td>86</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wisconsin</td>
<td>X</td>
<td>3</td>
<td>25</td>
<td>50</td>
<td>75</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wyoming</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Information depicted above was obtained from a review of state POST websites, legislative statutes and published handgun courses of fire.*
Figure 1.2 Content Analysis of Minimum Handgun Qualification Requirements by State, is a visual representation of the previously mentioned exhaustive internet search. In looking at Figure 1.2 Content Analysis of Minimum Handgun Qualification Requirements by State, the boxes marked with an “X” indicate that the public information affirmed that the qualification standard for the state included that particular criterion into its state standard. The “total” row in the “range min,” “range max,” “# of rounds” and “% to pass “columns were reported averages based on the mode of each perspective column. The states listed in white did not have publically published and freely accessible information and were not included in the figures. No state reported including shooting at moving targets or off-hand drawing from a holster in their qualification courses.

**Findings of Content Analysis**

Currently, the majority of states within the United States (n=36) have minimum firearms proficiency standards published through their prospective training and standards board’s commonly referred to by many as POSTs or defined by state statutes which are made publicly available. Those states that did not appear to have publicly available information about minimum handgun standards for police included: Alaska, California, Hawaii, Iowa, Michigan, Mississippi, Missouri, Nevada, Oregon, Rhode Island, Tennessee, Utah, Washington and Wyoming.

According to available standards, the majority of states required that officers qualified annually, while New Jersey and West Virginia required qualification twice a year and Delaware required officers to qualify three times per year. Courses of fire varied between as few as 18 rounds in North Dakota to as many as 100 rounds in New Mexico, however the most common
number of rounds required in state qualifications was 50 rounds. Each reporting state had minimum scores, however there was a considerable amount of variance as to what each state considered passing. For instance, in Colorado officers were required to hit the target with 100% of their rounds while in Kentucky 55% hits led to a passing score. The most common criterion included in qualification courses was the utilization of cover with 58% of the states with available information reporting the use of cover being incorporated in some degree into the course of fire. The second most common criterion included by states was the incorporation of support of off-hand shooting (55%) which was even included in more qualification courses than low/no light (33%). Shoot/don’t shoot decision making, multi-threat engagement as well as scenarios were the three least frequently incorporated criterion into qualification with only 1 state incorporated shoot/don’t shoot and 2 others incorporating scenarios and multi-threat engagement into the qualification process. Connecticut incorporated both shoot/don’t shoot and multi-threat engagements into its standards qualifying course of fire. In evaluating the content of qualification courses, the majority of the courses only reported including two of the eight measures into the course of fire. The most comprehensive qualification course came from Colorado; the course incorporated five of the eight criterions into its handgun course of fire. Of the courses, which had publically available information, seven had made no mention of any of the eight criterions within the available documentation of the state’s minimum standards.

Upon review of the qualification courses from across the United States, it would appear that the majority of the states still favor the largely administrative and quantifiable data provided by marksmanship shooting verses more subjective approaches such as scenario based evaluations. Several states including Wisconsin direct agencies to augment the mandatory
qualification requirements with additional training to include topics such as low-light shooting, decision making or force-on-force scenarios, but the additional training in most instances was not mandated and would fall to the discretion of the agencies and their cadre of firearms and use-of-force instructors.

**Model Policies**

There are several organizations, which work cooperatively with law enforcement agencies to assist the agencies by providing model policies on any number of topics including use-of-force and firearms. Examples of such organizations include Wisconsin Law Enforcement Accreditation Group (WILEAG), Lexipol and International Association of Chiefs of Police (IACP). Of these organizations, each has a model policy available that speaks to the need of individual officers to demonstrate proficiency or qualify with his or her weapon amongst other things. For the purposes of this paper, the review of the policies will be limited in scope to firearms, firearms proficiency and qualification recommendations set forth by each organization.

WILEAG (2013) has the least cumbersome of the model policies contained within this study. The portion of the policy regarding firearms is broken into three distinct yet important parts. First, the model policy stipulates that officers use only agency-approved weapons and ammunition (WILEAG, 2013). The model policy further stipulates that an agency must have a protocol in place for the review, inspection, and approval of all weapons prior to the weapons actually being carried. Lastly, for the section dealing specifically with the selection of weapons and ammunition, the policy also stipulates that an agency adopting WILEAG’s model policy should maintain a record for each firearm which should include at a minimum: the weapon
type, description, manufacturer, model and serials number as well as which officer that weapon
is assigned.

The next section of the model policy dealing with proficiency with a weapon, directs an
agency to have a written directive regarding the need for personnel to demonstrate proficiency
prior to being authorized to carry or use of firearm in the course of his or her duties. WILEAG,
(2013) indicates that proficiency can include completion of classroom work, demonstration of
knowledge of the laws and agency policies governing the use-of-force and use of weapons, and
demonstration of safe handling of weapons. As with WILEAG’s qualification recommendations,
the model policy directs the adopting agency to have the instruction and evaluation of
proficiency done by a firearms instructor.

The last part of the model policy by WILEAG governs the weapons training and
qualification and the model policy places a few mandates on what should be contained within
any adopting agency’s policy. For instance, WILEAG (2013) requires that officers qualify at least
annually, and as part of that qualification, officers would be required to receive training on his
or her agency’s use-of-force policy and demonstrate proficiency with his or her weapon. The
model policy also stipulates that the agency must have procedures in place in the event that an
officer fails to qualify, those procedures need to specifically ensure that the officer remediates
and qualifies with appropriate documentation prior to being allowed to return to duty with his
or her weapon. The recommendations bare a resemblance to those dictated by case law as
discussed previously as well as Wisconsin’s minimum requirements spelled out within statutes.
The actual training, according to the model policy, indicates that a certified weapons instructor
must monitor and document an officer’s proficiency while the content of training curriculums are left to the discretion of the firearms instructors (WILEAG, 2013).

In contrast to the recommendations of WILEAG’s model policy, Lexipol’s model policy is more encompassing. For instance, Lexipol (2014) like WILEAG, stipulates that only authorized firearms and ammunition are to be used and only after one qualifies with the weapon is it to be used. Unlike WILEAG, Lexipol allows for an emergency exemption to that rule. Lexipol’s model policy speaks to the three most common types of firearms utilized by law enforcement agencies to include shotguns, patrol rifles and handguns. Unlike WILEAG’s model policy, Lexipol’s provided guidelines for the transportation of weapons when not in use, as well as when certain weapon like the patrol rifle or shotgun would be authorized for use. Other topics covered within Lexipol’s model policy which went unmentioned by WILEAG included: off-duty firearms, repairs and modification, holsters, tactical lights, optics or lasers, safe handling, inspection and storage, storage at home, alcohol and drugs, firearms discharge, destruction of animals, injured animals, warning and other shots, rangemaster duties, flying while armed and carrying firearms out of state (Lexipol, 2014). Firearms training according to Lexipol’s (2014) model policy training shall be completed quarterly with members qualifying annually with his or her duty firearm and that the qualification must meet or exceed the State of Wisconsin’s requirement. Furthermore, Lexipol (2014, p. 77) stipulates that officers should receive “practical training designed to simulate field situations including low-light” training annually.

Like Lexipol, the International Association of Chiefs of Police (2007) adopted a more progressive than necessary standard in writing their model policy. For instance, the IACP (2007) mandates semi-annual qualifications while stating that quarterly qualifications are preferable.
In addition, IACP (2007) suggests that qualifications may include night, low-light, combat and off-hand shooting. Like both WILEAG and Lexipol the IACP (2007) model policy also dictates that officers only use authorized weapons and ammunition which they have qualified with prior to carrying as well as dictating that if an officer fails to qualify he or she is not allowed to carry until receiving remedial training and passing qualification. Some points made by the IACP (2007) which had went undiscussed previously included the need to carry one’s badge and department identification when carrying one’s weapon off-duty as well as the actual procedure for requalification should an officer initially fail to qualify.

Although the different model policies were considerably different from one another there were a few things that each of the organizations agree about... First, proficiency must be demonstrated. Second, firearms training must include with it use-of-force training. Third, a firearms instructor should teach firearms training. Lastly, in any case were an officer should fail to qualify with his or her weapon, the agency would need to have a procedure in place which dictated the course of action the agency was to follow and that officer should be placed on restrictive duty and relieved of his or her firearm until he or she qualifies.

**Agency Policies in Wisconsin**

Agencies often adopt the model polices which they receive from the aforementioned organizations. Agencies will adapt these policies to fit their agencies particular needs in most instances, if one has a familiarity with various model policies one could tell if that agency has went to either one organization or another for assistance in policy creation or accreditation. For instance, in the case of the Brown Deer Police Department (2015) and the Winnebago County Sheriff’s Office (2014), both organizations have utilized the WILEAG (2014) model policy, which
the agencies adapted to meet their needs. In both policies, each agency includes a section devoted to firearms proficiency. Within that section, the policy in both cases requires officers within the agency to qualify with his or her perspective duty firearm. In the case of Winnebago County Sheriff’s Office (2014) officers are required to qualify semi-annually whereas the officers employed by the Brown Deer Police Department (2015) are required to qualify annually. The actual content of the training or qualification requirements is not covered in any detail with the exception of Brown Deer Police Department (2015) mentioning the requirement to meet the state handgun qualification annually. Each policy stipulates that the agency’s firearms instructors be tasked with implementing and documenting firearms training. Each agency’s policy describes in detail what their “authorized” firearms and ammunition are, as well as their procedure for dealing with officers who fail to qualify or demonstrate proficiency.

In contrast to the Winnebago County Sheriff’s Office and Brown Deer Police Department, the Marathon County Sheriff’s Office utilized Lexipol for a model policy. Like the Lexipol (2014) model policy, the Marathon County Sheriff’s Office (2015) firearms policy dictates that the agency will conduct quarterly training with qualification held annually. Like Brown Deer Police Department’s Policy, the Marathon County Sheriff’s Office (2015) also stipulates that annual qualification must meet exceed Wisconsin’s law enforcement standards as stipulated in Wis. Stat. §165.85. Furthermore, like the model policy, Marathon County Sheriff’s Office (2015) policy indicates that authorized personnel will receive practical training and low-light shooting annually.

Agency policies are the task and purpose of firearms training. In the case of training content the policies previously discussed focus primarily on completing the minimum State
mandated standards. The Winnebago County Sheriff’s Office diverged from the minimalist model by requiring bi-annual qualifications for sworn personal and quarterly qualification for members of the agency’s Specialized Weapons and Tactics (SWAT) team (Winnebago County Sheriff’s Office (2014). Marathon County Sheriff’s Office also had a policy which required the agencies sworn personnel to receive more than the minimum state mandated training by stipulating quarterly training as well as by adding an annual low/no light and practical scenario based training requirements to the agencies policy (Marathon County Sheriff’s Office, 2015).

**Agency Policies outside Wisconsin**

Each state across the United States has different minimum standards for firearms qualification. The average state requires officers to requalify annually, with a course of fire of 50 rounds while receiving a score of 80% or better (Figure 1.2 Content Analysis of Minimum Handgun Qualification Requirements by State). The majority of the state qualification courses incorporate the use or simulated use of cover and at least some support-side shooting (Figure 1.2 Content Analysis of Minimum Handgun Qualification Requirements by State).

The policy for the Peoria Police Department from Peoria, AZ was by far the most comprehensive and detailed policy of all department and model policies reviewed for this report. In the Peoria’s policy, it states that sworn personnel are required to qualify semi-annually with their department issued primary weapon and goes on to define qualifying as ‘passing AZPOST’s qualification course of fire in the first six months of a calendar year and again in the second six months of a calendar year” (Peoria Police Department, 2007). One facet unique to Peoria’s policy is specific manner in which they deal with any officer who may fail to qualify. Unlike other policies that simply direct that an officer will be placed on administrative
assignment and may be disciplined or terminated, Peoria affords officers up to 3 chances to qualify in a given range day. If the officer were to go unqualified during those three attempts, the officer would be placed on an administrative assignment for 10 days. During those 10 days, that unqualified officer would report for additional remedial firearms training. Upon completion of the remedial training, the unqualified officer will be again provided with the opportunity to qualify. At that time, if the officer were still unable to qualify he or she would be subject to disciplinary action up to dismissal (Peoria Police Department, 2007).

Boise Police Department (2013), Minneapolis Police Department (2002) and Orlando Police Department (2005) all require their officers to qualify annually at a minimum, however none of the policies themselves indicate what qualification actually entails. Boise Police Department’s Policy along with that of the Minneapolis Police Department both differ training content to a range master or other like position who would have received specialized training on the instruction of firearms and use of force. One unique feature of Minneapolis Police Department’s (2002) policy was the inclusion of loaner guns following critical incidents. This portion of Minneapolis’s policy identified the fact that following a critical incident where an officer was forced to discharge his or her weapon and utilize deadly force, that officer will be called upon to turn his or her weapon over as evidence. It would appear that Minneapolis Police Department had a lot of fore thought to have a remedy for this built into the agency’s policy (Minneapolis Police Department, 2002).

Orlando Police Department (2005) by policy indicates that the each officer must requalify with each authorized weapon once a year. This mandate coincides with Florida’s
police training and standards requirement of annual requalification. The policy however did not provide any further insight into the content of the qualification or training.

Regardless of which department’s policy was reviewed, where that department was located or how large of an agency the policy was from, every single policy made at least a casual reference to the need for annual training in that perspective agency’s use-of-force policy. Some policies even specifically mentioning providing officers with training in the justification for deadly force.
Section 4: Recommendations and Conclusions

History would suggest that concern for officer safety led officers to begin carrying handguns (Morrison & Villa, 1998). In the haste of the industry to protect its officers, it may have actually caused harm by not analyzing the characteristics of violent encounters to best train officers to survive them. Law enforcement used a pre-existing military model of firearms qualification, which emphasized marksmanship, but lacked similarity to field conditions by not including factors such as physical exertion, low light situations, multiple targets or weapons malfunctions (Morrison & Villa, 1998). The majority of state minimum qualification standards for law enforcement officers are shot on static ranges with few requiring officers to do more than shoot from cover and shoot off-hand while maintaining easily obtainable passing requirements averaging 80% (Fig 1.2 Content Analysis of Minimum Handgun Qualification Requirements by State). As a result, police in the United States have been “qualifying” for nearly 100 years using qualification courses which lack scientific validity all while officer-involved shooting statistics continue to document consistently low hit rates (Morrison & Villa, 1998: White, 2006).

There was a national cry to action as a result of the civil unrest of the 60’s and 70’s, during which time police firearms training underwent several changes which the industry credits with lowering the numbers of officers killed or assaulted. Morrison and Villa (1998) argue however that reductions in officers killed or assaulted data in the 70’s and 80’s likely had little to do with changes in tactics and had more to do with wide spread use of soft body armor and advancements in the emergency medical system.
The first step in fixing firearms and qualification and training in law enforcement is that law enforcement must cede there is a problem. One may argue that with hit rates in officer-involved shootings averaging between 15-20% nationally, one would be hard pressed to say there wasn’t one (Thomasson et al., 2014; White, 2006). Aveni (2008) and Veit (2009) assert that the disconnect between training and field performance is the result of officer being trained to qualify rather than being trained to survive life-threatening situations.

To correct this egregious training oversight, one must first conduct an in-depth analysis of the characteristics of shooting incidents (Morrison & Villa, 1998). Initial observations garnered from Law Enforcement Officers Killed or Assaulted data would indicate that statistically nearly 75% of officers killed are within 20 feet of their attackers (FBI, 2013). The most deadly incidents for police continue to be arrest situations, ambushes and traffic stops during the hours of darkness; situations that are thought of as mundane by some trainers (Aveni 2008; FBI, 2013). An initial study of factors that influence officer accuracy concluded that distance, the way in which an officer becomes involved in a contact and at which point in the contact the officer is forced to resort to deadly force all have a significant effect on officer accuracy (White, 2006).

In addition to conducting research on actual officer involved shootings, more needs to be done to evaluate the effectiveness of various training methods. Thomasson et al. (2014) has shown that scenario based training was able to produce reported accuracy rates nearly mirroring those in actual officer-involved shootings. This would seem to suggest there is a great amount of similarity between the two. Research conducted by Nieuwenhuys and Oudejans (2010; 2011) confirmed that officers suffered significant reductions in accuracy under high
anxiety. Their research provided promising insight that training under anxiety has an almost inoculation like effect thereby reducing the effects of the anxiety on performance over time (Nieuwenhuys and Oudejans, 2010; Nieuwenhuys and Oudejans, 2011).

A review of each state’s minimum qualification requirements indicate that the United States has made great strides in terms of creating more realistic qualification courses that may also denote survivability; however, less than 20% of known minimum standards incorporate malfunctions, engaging multiple threats, shooting while moving, scenarios or shoot/don’t shoot decision making into their courses of fire. While 33% incorporate, low-light shooting and around 50% include off-hand shooting and utilization of cover into their courses of fire (Figure 1.2 Content Analysis of Minimum Handgun Qualification Requirements by State).

In many cases, agencies adopt the minimum standards that state law requires mainly because it provides them the easiest defense from civil litigation (Morrison, 2003). Often training and standards board’s simply follow the laws as well with their recommendations. POST’s are regularly criticized for setting their standards so low that they will actually encourage less training rather than more (Morrison & Garner, 2011). In Morrison’s (2011) survey of firearms instructors, most respondents indicated that half their department’s budget was spent on qualification while an even larger majority indicated that the qualification was administrative in nature and lacked value. Moving forward it is recommended that training and qualification alike emphasize scenario based force-on-force methodologies as a more accurate measure of valid job related performance based on Thomasson et al (2014). Aveni (2008) recommends 80% or more of an agencies firearms training resources be devoted to the utilization of scenario-based
training and qualification. The emphasis of both training and qualification needs to be to provide officers the tools to survive a violent confrontation.

Another identified area in need of improvement is the manner in which officer-involved shooting data is measured and reported. Morrison and Garner (2011) warned that there is not a uniform standard to report officer-involved shooting accuracy by departments and the manner in which officer-involved shooting accuracy is reported has a considerable effect on the appearance of agencies training effectiveness. Of the three ways in which hit rates may be reported, Morrison and Garner (2011) recommend that accuracy be reported as hits per bullets fired which they argue provides the truest representation of officer accuracy in officer-involved shootings. Additional, more specific data, such as where the target was struck could provide an even better understanding as to actual officer-involved shooting accuracy. Although there have been concerns over the placing of additional burdens on smaller agencies by requiring them to report on officer-involved shootings, it would appear that this would be necessary in order to ensure complete accurate data. Perhaps this information could simply be an added amendment to an existing data such as the Uniform Crime Report.

Law enforcement needs to shift its training to ensure it is based on empirical evidence rather than anecdotal opinions. It would be in the best interests of training and standards boards as well as states and agencies to adopt training and qualification methodologies that are supported by empirical evidence.

Firearms instructor training should be thought of in an annual budget as a reoccurring expense. Morrison (2011) noted that too often agencies would send instructors through a school then not bother to send them through additional refreshers periodically which tends to
leave instructors out in the dark to current evidence based practices. Failing to send instructors through updates will also leave agencies once again holding the liability card. Firearms instructors have a considerable amount of responsibility in an agency and it is imperative to the instructors as well as the agencies that the instructors stay current about what evidence says about the best practices for qualification and training. Firearms instructors are not university professors and cannot be provided with the same leniency in syllabus content. Although in some cases instructor latitude encourages informal experimentation and possibly innovative developments, Morrison and Garner (2011) warn that the lack of continued investment in an agency’s instructors increases the possibility that leniency could do harm.

As an industry, if law enforcement made decisions prior to having the facts the industry must be willing to accept that they may have it all wrong... Perhaps, Aveni (2008) has it right and this is a judgement problem rather than a marksmanship problem; if that is the case, perhaps the speed and accuracy law enforcement has been so focused on improving has only been hurting the industry. Aveni (2008) suggests that as an industry we stop chasing commercialized training from trainers with Department of Defense credentials and take a serious look at how we are losing officers, only at that point will we affect significant change.

Law enforcement has attempted to spin a national narrative, which emphasized transparency with the public. During the research for this study, it became apparent based on levels of cooperation with different law enforcement agencies that perhaps that narrative is more about perception than the actual reality. Within the field, law enforcement agencies appear to be reluctant to share information with outside sources. This is especially true of academic sources, which historically have been more likely to criticize agencies. The reluctance
undoubtedly has had detrimental effect on academia’s ability to contribute to the furtherance of firearms training and qualification. Moving forward, it may prove extremely beneficial for both law enforcement agencies and institutes of higher education to collaborate in joint academic practitioner projects. It is believed that cooperation would serve to increase police community relations short term and increase officer and community safety long term.
Reference List


City of Canton v Harris 489 U.S. 378 (1989)


Graham V Connor (1989) 390 U.S. 386


Handgun Training Deficiencies: Recommendations for Improvement and Policy Creation


Markham v White 172 F.3d 486 C.A.7 (III) (1999)


McClelland v Facteau 610 F.2d 693 (1979)


Popow v City of Margate, 476 F. Supp. 1237 (1979)


Tennessee V Garner (1985) 471 U.S. 1


Tuttle v City of Oklahoma City, 728 F. 2d 456 (1984)


